

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): William C. Dresser, SB 104375 4 North Second Street, Suite 1230 San Jose, CA 95113-1307		FOR COURT USE ONLY
TELEPHONE NO.: 408-279-7529 FAX NO. (Optional): 408-298-3306		
E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiff		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara STREET ADDRESS: 191 North First Street		
MAILING ADDRESS: CITY AND ZIP CODE: San Jose, CA 95113 BRANCH NAME: Civil Division		
PLAINTIFF/PETITIONER: Landmark Home Mortgage, Inc.		CASE NUMBER: 1-07-CV-090658
DEFENDANT/RESPONDENT: Guillermo Flores, Alvin Silbernagel, Atlas Financial, et al		Ref. No. or File No.:
PROOF OF SERVICE OF SUMMONS		

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. summons
 - b. complaint
 - c. Alternative Dispute Resolution (ADR) package
 - d. Civil Case Cover Sheet (*served in complex cases only*)
 - e. cross-complaint
 - f. other (*specify documents*):
Statement of Damages, Civil Case Notice
3. a. Party served (specify name of party as shown on documents served):
Atlas Financial Services Inc. dba Atlas Financial Services and Atlas Realty
 - b. Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (*specify name and relationship to the party named in item 3a*):
Alvin Silbernagel, President
4. Address where the party was served:
2020 South Bascom Avenue, Suite C, Campbell, CA 95008
5. I served the party (check proper box)
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): 9/25/07 (2) at (time): 4:20 p.m.
 - b. by substituted service. On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
 - (1) (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) (**physical address unknown**) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): from (city): or a declaration of mailing is attached.
 - (5) I attach a **declaration of diligence** stating actions taken first to attempt personal service.

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5. c. by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) on (date):

(2) from (city):

(3) with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgement of Receipt.) (Code Civ. Proc., § 415.30.)(4) to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

d. by other means (specify means of service and authorizing code section):

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. as an individual defendant.b. as the person sued under the fictitious name of (specify): Atlas Financial Servicesc. as occupant.d. On behalf of (specify):

under the following Code of Civil Procedure section:

 416.10 (corporation) 415.95 (business organization, form unknown) 416.20 (defunct corporation) 416.60 (minor) 416.30 (joint stock company/association) 416.70 (ward or conservatee) 416.40 (association or partnership) 416.90 (authorized person) 416.50 (public entity) 415.46 (occupant) other:

7. Person who served papers

a. Name: Nikolaus W. Reed

b. Address: 4 North Second Street, Suite 1230, San Jose, CA 95113

c. Telephone number: 408/279-7529

d. The fee for service was: \$

e. I am:

(1) not a registered California process server.(2) exempt from registration under Business and Professions Code section 22350(b).(3) a registered California process server:(i) owner employee independent contractor.

(ii) Registration No.:

(iii) County:

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

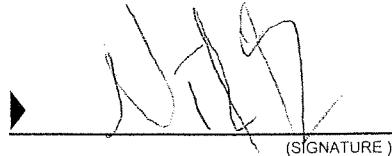
or

9. I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 12/7/07

Nikolaus W. Reed

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)



(SIGNATURE)